

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1-25. (Canceled)

26. (Currently Amended) A method of performance upgrading for a receiving terminal, comprising:

generating information related to at least one parameter for the performance upgrading within the receiving terminal, wherein the information is included in a short message service (SMS) message of a messaging service for the receiving terminal; and

transmitting the SMS message, including the information, using the messaging service to the receiving terminal ~~to allow the receiving terminal to upgrade its; and~~

upgrading performance of the receiving terminal by changing at least one ~~corresponding~~ parameter stored within the receiving terminal ~~using~~ based on the SMS message transmitted to the receiving terminal, wherein the information within the SMS message includes a value used for certifying the performance upgrading within the receiving terminal, and the at least one ~~corresponding~~ parameter is changed when the value included in the information is identical to a previously stored value within the receiving terminal or a value inputted by a user of the receiving terminal.

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27. (Previously Presented) The method of claim 26, wherein the value comprises a password.

28. (Previously Presented) The method of claim 26, wherein the value is at least one of a password, key value, and a security code.

29. (Previously Presented) The method of claim 26, wherein the value is pre-set in each terminal.

30. (Canceled)

31. (Currently Amended) The method of claim 26, wherein the SMS message of the messaging service is discarded when the value included in the information is not identical to the previously stored value within the receiving terminal or the value inputted by the user.

32. (Previously Presented) The method of claim 26, wherein the at least one parameter is used for a software upgrading within the receiving terminal.

33. (Canceled)

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34. (Previously Presented) The method of claim 26, wherein the value is used for certifying a sender of the message.

35. (Currently Amended) The method of claim 26, wherein the information is included in a certain field of the SMS message.

36. (Currently Amended) A method of performance upgrading for a receiving terminal, comprising:

receiving a message of a messaging service via a network, wherein the message of the messaging service includes information related to at least one parameter for the performance upgrading ~~within of~~ the receiving terminal;

comparing a password within the received message with a previously stored value in a memory of the receiving terminal;

storing the received message and changing the at least one parameter within the receiving terminal based on the received information within the message; and

upgrading a performance of the receiving terminal ~~by changing based on the changed~~ at least one ~~corresponding~~ parameter stored within the receiving terminal ~~using the received message of the messaging service, wherein the upgrading is performed only when the password within the received message is identical to the previously stored value in the memory.~~

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37. (Currently Amended) The method of claim 36, further comprising: by a sending terminal before receiving the message:

forming the message by inputting a performance controlling parameter to be changed into a performance controlling parameter field of the message and by inputting a key value corresponding to the ~~mobile-receiving~~ terminal to a performance controlling key value field of the message; and

transmitting the formed message to the receiving terminal.

38. (Previously Presented) The method of claim 36, wherein the information includes the password for certifying the performance upgrading within the receiving terminal.

39-40. (Canceled)

41. (Previously Presented) The method of claim 36, wherein the received message is discarded when the password included in the information is not identical to the previously stored value within the receiving terminal.

42. (Previously Presented) The method of claim 38, wherein the information is included in a certain field of the message.

43. (Previously Presented) The method of claim 42, wherein the certain field comprises:

a first sub-field to contain a performance controlling parameter to be changed;

and

a second sub-field to denote a kind of codes inputted to the first sub-field.

44. (Previously Presented) The method of claim 43, wherein a sub-parameter of the first sub-field comprises:

a performance controlling key value field where the password is inputted; and

a performance controlling parameter field where the performance controlling parameter value to be changed is inputted.

45. (Previously Presented) The method of claim 43, wherein the first sub-field is inputted by an octet unit.

46. (Currently Amended) The method of claim 43, wherein a prescribed byte that notifies a change of the performance controlling parameter is inputted in a first octet of the first sub-field and a change value for the performance controlling parameter is inputted to a second octet.

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47. (Currently Amended) A mobile communication apparatus, comprising:

a transceiver to transmit and receive data;

a memory to store the data from the transceiver or from an external source; and

a processor cooperating with the transceiver and the memory to perform:

receiving a message of a messaging service via a network, wherein the message of the messaging service includes information related to at least one parameter for the performance upgrading within a receiving terminal,

comparing a password within the received message with a value input by a user of the receiving terminal,

storing the received message and changing the at least one parameter within the receiving terminal based on the received information within the message; and

upgrading a performance of the receiving terminal by changing based on the changed at least one corresponding parameter stored within the receiving terminal using the received message of the messaging service, wherein the upgrading is performed only when the password is identical to the value input by the user of the receiving terminal.

48. (Canceled)

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49. (Currently Amended) A method for changing a performance controlling parameter of a mobile telecommunication terminal, comprising:

receiving a message from a network, wherein the message includes a key value of a mobile telecommunication terminal and a new performance controlling parameter of the mobile telecommunication terminal to be changed, wherein the key value is used to certify a sender of the message;

storing the key value and the new performance controlling parameter in a memory of the mobile telecommunication terminal;

replacing a previously stored performance controlling parameter of the mobile telecommunication terminal with the new performance controlling parameter of the mobile telecommunication terminal only when the stored key value corresponds to a previously input password; and

controlling a performance of the mobile telecommunication terminal based on the new performance controlling parameter stored in the memory.